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Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Suite TW-A325
Washington, DC 20554

Re: ***E911 Requirements for IP-Enabled Services, WC Docket No. 05-196***
Subscriber Acknowledgement Report (September 22, 2005)

Dear Ms. Dortch:

Pursuant to the Commission's Public Notice, DA 05-2358, released August 26, 2005, AT&T hereby submits its September 22, 2005 Subscriber Acknowledgement Status Report. As this Public Notice indicates, providers of interconnected Voice over Internet Protocol (VoIP) service who had filed a Subscriber Notification Report on August 10, 2005, will be granted a 30-day extension (until September 28, 2005) from enforcement of the requirement that they obtain affirmative acknowledgements from 100% of their subscribers that they have read and understood an advisory concerning the limitations of their E911 (E911) service, if the VoIP provider files specified updated compliance reports on September 1 and 22, 2005. AT&T filed reports on August 10 and September 1, 2005, and is therefore eligible for the extension. The four requirements specified in the instant Public Notice are set forth below, with AT&T's responses.

- 1. A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005;**

AT&T indicated in Response No. 4 of its August 10, 2005 report that it had sent the required E911 advisory and warning stickers to all of its VoIP subscribers by July 29, 2005. Accordingly, this aspect of the Public Notice does not apply to AT&T.

2. A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005;

As of September 22, 2005, 96% of AT&T's subscribers who initiated service before July 22, 2005 have submitted an affirmative acknowledgement of the E911 advisory. Commencing July 22, 2005, all new customers were required to affirmatively acknowledge the most current version of the E911 advisory before their service would be provisioned. Thus, no new customers were provided service without E911 acknowledgement after July 22. AT&T estimates that approximately 4% of subscribers will not provide their acknowledgements to the current E911 advisory by September 28, 2005.¹ These figures include the 100% affirmative acknowledgement from AT&T's Business VoIP subscribers, identified in Response No. 1 of AT&T's August 10, 2005 report.

3. A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory;

As shown in Response No. 4 of its August 10 report, AT&T stated that it would take – and it now has taken – the following steps between August 11 and 30. First, as of August 11, 2005, AT&T placed a reminder message on its website on the “view bill” page. Starting August 14, 2005, AT&T's sales agent ordering processes would no longer provision orders until mandatory 911 information and acknowledgements were

¹ As explained in Response No. 1 of its August 10, 2005 report, since it first introduced AT&T CallVantage® Service, AT&T has, at its own volition, undertaken to notify all customers of the limitations on E911 service. Most notably, AT&T's Standard Service Subscriber Agreement, which governs the terms of service for all AT&T CallVantage customers, advises customers that they cannot place traditional wireline 911 or E911 service calls and that an alternative 911 or E911 service is provided, with a number of limitations that are fully explained. Customers placing orders online were required to check a box indicating that they understood that 911 services with AT&T CallVantage service were different. AT&T telephone sales agents also provided information about 911 limitations to ordering customers. Thus, every AT&T CallVantage customer should already be aware of the limited availability of E911 with the service. To the extent the Commission finds that prior acknowledgements are deemed acceptable so that non-responders to the current round of 911 / E911 advisories would not have to be disconnected, AT&T CallVantage customers would likewise qualify.

completed. (Between July 22 and August 14, the ordering system relied on manual processes to require acknowledgements before processing sales agent orders.)

On August 16, 2005, a second voice mail was delivered to all non-responders as of August 9, and another e-mail was delivered to all non-responders as of August 15, reminding them of the obligation to affirmatively acknowledge, and warning that their service will be disconnected on August 30, 2005, if they do not acknowledge. On August 22, 2005, AT&T implemented an interactive voice response menu that allowed customers to call in, hear the E911 advisory and confirm their acknowledgement over the telephone. From August 23 through 26, 2005, AT&T placed live calls to all non-responders as of August 22, again indicating that their service would be disconnected unless an affirmative acknowledgement was received. Agents spoke with customers live or left messages on answering machines, and for that subset of customers who could not be reached, multiple attempts were made. On August 26, 2005, prior to learning of the FCC extension, AT&T sent one final e-mail to non-responders as of August 25, and one final voice mail message was placed to all non-responders with this same content.

AT&T had planned to begin disconnects for non-responders on August 30, 2005. However, because of the extension to September 28, this disconnect process did not take place.

On September 8, prior to commencement of the intercept message process (described below), non-responders were sent a final e-mail again advising them to acknowledge receipt of the E911 advisory, and advised that if they fail to do so, their service would be fully disconnected on September 28, 2005, meaning that they would have no dial tone and no ability to place any outbound calls (including calls to 911). Customers were also reminded to transition their telephone number to another service or provider to avoid losing their current telephone numbers when the AT&T CallVantage service is disconnected.

On September 15, 2005, AT&T started to use an “intercept message” to advise AT&T CallVantage service subscribers to provide an E911 acknowledgement or face having service disconnected on September 28. This is how the “intercept message” works: each time a non-responder tries to place an outbound call to other than 911, 411 or an 8YY number, an intercept message advises the subscriber to provide E911 acknowledgement, with instructions to go to the website (URL is provided) or to call a specified 8YY number. Once the intercept message process commenced, AT&T began to block the outgoing calls of all non-responders, except for calls to 911, 411 and 8YY numbers. However, the subscriber is still able to receive incoming calls.

Until the responder acknowledges receipt of the E911 advisory, he or she will hear the intercept message on every attempt to place an outbound call (other than to 911, 411 or an 8YY number). Because no outbound calls other than to 911, 411 or 8YY will complete now that the intercept message process is in place, non-responders should have a very strong incentive to acknowledge the E911 advisory.

Until September 28, 2005, AT&T's interactive voice response system will remind customers to acknowledge and accept the E911 advisory, along with a disconnect warning. Service representatives on inbound calls will also continue to remind customers of the obligation to acknowledge or be disconnected.

On September 28, 2005, AT&T will disconnect dial-tone to non-responders, with the result that they will not be able to place any outbound calls whatsoever (including to 911) and will not be able to receive any incoming calls. Due to the devastation caused by Hurricane Katrina and the mass relocation of thousands of households, AT&T proposes to exclude non-responders located in Louisiana, Mississippi and Alabama from the disconnect process. AT&T also is monitoring the development of Hurricane Rita and, accordingly, may propose to exclude non-responders located in Texas and other impacted areas from the September 28 disconnect process.

4. **A detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005. The Bureau notes that in their August 10, 2005 reports some providers, such as Telephone, Inc. and Broadview Networks, Inc., state that they will use a “soft” disconnect procedure to disconnect those subscribers that ultimately do not acknowledge having received and understood the customer advisory. As the Bureau understands it, the soft disconnect procedure will either disallow all non-911 calls or intercept and send those calls to the provider’s customer service department. Under this “soft” disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP). A provider’s September 1 and September 22 reports must include either a statement that the provider will use a “soft” or “warm” disconnect (or similar) solution as of September 28, 2005, or a detailed explanation of why it is not feasible for the provider to use a “soft” or “warm” disconnect solution, as described above.**

See Response No. 3 above, which details how AT&T has been employing an intercept message process to limit outbound calling capability since September 15, which will be followed by disconnection of service on September 28 (with all inbound and outbound calling capability halted, including calls to 911).

AT&T cannot, by September 28, 2005, have the capability in place to perform a “soft disconnect” for non-responding customers that would block all incoming and outgoing telephone calls except for those made to 911. AT&T could maintain the call intercept functionality described above, even after the September 28 deadline. This would permit 911 calling (as well as 411 and 8YY telephone calls), and would also permit incoming telephone calls. AT&T believes that if a customer has ignored repeated warnings from AT&T for 10 weeks and has been prohibited from making outbound calls for two weeks absent acknowledgement, that such customer has no intention of providing

the level of acknowledgement required by the Commission to maintain his or her service so AT&T will proceed to disconnect such customers.

Please contact the undersigned if you have any questions regarding this matter.

Very truly yours,

/s/ Judy Sello